Lake Issues (Water Level and Municipalities) – Part #3 Chapter #22

Discussions on pressuring the Watershed Commission about the low level of the lake and who gets the water from the lake began. Dick felt the dam should have been changed to have a natural spillway, able to open itself, not dependent on the Perry DPW resulting in better consistency of the lake water level. Doug asked if the DEC could get information about dredging the north end of the lake then the inlet and the outlet. Dick replied that the lake management study should be done first then the dredging.

Doug Klein introduced Perry's Department of Public Works Superintendent Phil Cowie to discuss his operation of the dam and factors that contribute to the low level of water in Silver Lake that year. First and foremost the drought that Mother Nature had visited upon us had contributed. The rainfall we did get bypassed us and went into the Genesee River. The dam gates were last opened half-way on April 21, 1991 and one-quarter way on May 5 of that year. Five one-hour flushes were ordered by Mayor Terry Murphy due to odors and debris that had accumulated. Documentation on file indicates we had a capacity of 15 inches and water would cease to flow under Walker Bridge below that level. Bob Moscicki voiced his opinion that more could have been done including imposing water restrictions, repairing leaky water supply lines, and regulating farmers from tapping water lines. He recommended the Association write a letter to the Village of Perry to get commitment to fix leaks, control water loss, and better control the lake level.

The SLCOA had started a letter writing campaign after talks with the NYSDOH, Wy. Co. DOH, and the DEC Regions 8 & 9. It was apparent that the main focus of the letter writing campaign that addressed Silver Lake's water level would be: 1) keeping water in the watershed by stressing water conservation on the part of all municipalities; 2) formal legal establishment and empowerment of the Silver Lake Watershed Commission; 3) wildlife preservation; 4) funds targeted to clean the outlet and DEC (Region 9) action on this. Sr. Sanitation Engineers, DEC Region 9 Office Robert Mitrey and Kevin Hintz, both of the Division of Solid Waste were concerned about outlet dredging and removal of possibly toxic debris, how it would be transported and final disposition. Ted Myers a DEC region 9 Environmental Engineer had recently written to the Village of Perry Board reprimanding them over the illegal tap of the Letchworth Park water main. The NYSDEC and Monroe County coordinated an effort to protect and improve the water quality of the Genesee River Basin which included the Silver Lake outlet. This effort was part of a larger project known as the Rochester Embayment Remedial Action Plan that was seeking ways to improve the water quality of Lake Ontario, where water from the Genesee Basin flows. Margy Peet from the Monroe County Department of Planning had been working with the Area conservationists to observe potential water pollution problems throughout the basin. The DEC had targeted grant funds that include Silver Lake.

So where does the SLCOA go from here? Senator Volker discussed lake issues with Margaret at the Rotary meeting last week and said he would consider attending a SLCOA meeting to see how he could have helped. SLCOA needed to keep on the issue since it was set aside due to weather conditions like that year's drought. Files indicate a history of complaints about it and have been made by SLCOA to various municipalities. There was a consensus of those present that a public statement from the SLCOA was needed re: public use, future development in the watershed, concerns of the lake level, and allowing water out of the dam. While other towns issued bans, Perry did not. Dick felt ads were ineffective. Regarding agriculture's need, the number of cows in the watershed increased dramatically as had agriculture's need for water. There were two major issues, the water level of the lake and pollution; both had to do with the DEC. There was a motion and was passed to have a lake level committee.

During the April 25, 1992 meeting an update of the Mt. Morris water line was discussed. Many repairs were planned and major leaks were corrected. The big concern was the cost of replacing and burying the pipeline in streambeds. Phil Cowie felt Mt. Morris was looking to the SLCOA and the Watershed Commission to ensure zebra

mussels didn't plug their lake intake pipes which would be equipped to inject potassium permanganate or similar chemical if the DEC allowed it should mussel infestation effect the lake. Perry had 2 intake pipes, Mt Morris and LeRoy each had one. While it was documented in Conesus Lake, the zebra mussel had not been found in Silver Lake. Engineers were currently researching ways to kill them and may have had something the DEC would allow by the time Perry's Water Treatment Plant and distribution system were refurbished that year.

Doug questioned Phil on the dam orifice. The NYSHD mandated that it's opening and needed a year's worth of records on outlet water flow before it would change the 4" orifice for (size or use). Phil planned to build a flume to report water flow past the Water Treatment Plant. The village obtained approximately 640,000 gallons of water a day through the 4" orifice opening.

Don Cook reported that the rumors of LeRoy drawing water or installing a new water line to draw from Silver Lake were untrue; LeRoy was drawing from Lake LaGrange.

The commission chairman Don Scalia reported on the Akzo site proposal for Hamptons Corners, it would need 15,000 gallons of water per day which would fit within Mt, Morris's daily draw and allotment.

Gilly Burlingham briefed the SLA Board on the Akzo's new mine proposal and potential to impact Silver Lake as Akzo would buy water from Mt. Morris, which had a daily (1.5 million gallon) allotment. In light of the recent local water district proposals and allotment plans by Castile, and now the adjacent development once the mine was built, the board directed Lorraine to write a letter ASAP to the DEC judge hearing the public's comments in Geneseo.

LeRoy was looking for a caretaker for the pump house who would get use of lakefront property in return on Austin/Shearman Road.

In May 1998 at the SLA meeting it was discussed that LeRoy was asking the DEC to extend its water-drawing rights to year-round as Pavilion was now getting water from LeRoy; this had the Watershed Commission's support. LeRoy did not have to use its existing draw but was extending just in case.

August 1998 Rich Eliasz questioned who was in control of what was in conjunction with the Commission's request to the Village of Perry to drop the level of the lake from 100" at the dam to 92" to alleviate flooding of lake properties. The SLA learned that Phil Cowie kept it at around 95". When the request was brought before the village Board, Phil wasn't there to say that he did that, so the board acted only on the 92" request. That action: okayed 94" water level. The Village of Perry representative to the Commission, Trustee Dennis Vergason, confirmed that the village okayed a 94" lake level, not the 92" level requested by the Commission. The Commission discussed the dam operator's position, responsibilities, and funding. The Commission recommended funding of $2000 rather than the $1000 stipend, in addition to a job description including reports and data collection by the dam operator. The position, which was Phil Cowie's, was now held by Bzduch, a village employee. Trustee Vergason could not ascertain if his request to repaint the inch marker at the dam was done.

LeRoy asked for the Commission's support of its proposal to the state to relax stipulations to draw water from Silver Lake. After an emergency in the last week of August 1998, Commission Chairman Stan Klein granted LeRoy permission to draw water one week early. Its usual allotment is September 1 – May 30. LeRoy corrected its emergency before the draw was made. It had not used its allotment in several years but wanted its calendar year extended as well as the 92" minimum limit before drawing in the event future emergencies occur. LeRoy extended water to Pavilion. It was an original member of the Commission and would likely get support. Eric Parker looked for a safe yield study done when Mt. Morris replaced its pipe to the lake so that LeRoy could submit it to the state when it makes application.

Perry Village Trustee/Commission Rep. Dennis Vergason contacted Rich about the level of the lake water each fall after he had been approached about it by a contractor. He wanted history if Rich had any about how it was done and whose responsibility was it. Rich asked the SLA for their input. Roy said he spoke to Ray Bzduch, a Perry DPW employee and part time dam operator for the last 12 years. Roy learned that Ray was waiting to hear if the job was going to remain since Perry had a new DPW superintendent (Ryan Duve). Bzduch told Roy that on October 27, 1998, the level of the water at the 100" dam was 90 " and could drop to 80" in the winter and then 95" (although it reached 102" that year). Bill would assist Rich in drafting a letter proposing a fall level be established as policy and report back to the full board on that effort.

Lake levels continued to be a concern to residents. In July when the level dropped 4 inches was likely due to evaporation more than operations of the Public Works Department at the Federal Street dam. To comply with the state Department of Environmental Conservation regulations in the operation of the municipal sewer treatment plant on Water Street, the DPW must release 600,000 gallons of water daily from the lake for wastewater treatment. Farms bordering the lake are allowed to purchase 100,000 gallons daily without a permit. Water was sold at 25 cents per thousand gallons and was metered at the plant on Standpipe Road.